

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

TRISTAN SQUERI, MADELINE
McCLAIN, and GEORGE O'DEA,
individually, and on behalf of all others
similarly situated,

Plaintiffs

v.

MOUNT IDA COLLEGE, THE MOUNT
IDA COLLEGE BOARD OF TRUSTEES,
BARRY BROWN, individually and as a
representative of Mount Ida College,
CARMIN C. REISS, individually and as
a representative of the Mount Ida College
Board of Trustees, JASON POTTS,
individually and as a representative of
Mount Ida College, JEFF CUTTING
individually and as a representative of
Mount Ida College, and RON AKIE,
Individually and as a representative of
Mount Ida College,

Defendants.

CIVIL ACTION NO. 1:18-CV-12438-RGS

DEFENDANT JASON POTTS' MOTION TO DISMISS

The Defendant, Jason Potts, respectfully requests that this Honorable Court dismiss all counts brought against him in the Plaintiffs' First Amended Complaint, with prejudice and without leave to amend, pursuant to Federal Rule of Civil Procedure 12(b)(6). In support of his Motion, Mr. Potts submits the accompanying Memorandum of Law. In addition, Mr. Potts joins and incorporates by reference the arguments set out in the Motion to Dismiss filed by Mount Ida College, the Mount Ida College Board of Trustees, Carmin C. Reiss, Jeff Cutting, and Ron Akie, as well as the arguments set out in the Motion to Dismiss filed by Barry Brown.

Respectfully submitted,
JASON POTTS,
By his Attorneys,

Dated: February 4, 2019

/s/ Tamsin R. Kaplan
Tamsin R. Kaplan, Esq. (BBO# 561558)
Emily P. Crowley, Esq. (BBO# 682295)
Davis, Malm & D'Agostine, P.C.
One Boston Place
37th Floor
Boston, MA 02108
(617) 367-2500
tkaplan@davismalm.com
ecrowley@davismalm.com

CERTIFICATE OF SERVICE

I hereby certify that this document is being filed through the ECF system on this 4th day of February, 2019, and that it will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), and paper copies will be sent to those indicated as non-registered participants.

/s/Emily P. Crowley

Emily P. Crowley